

## 2011 DRAFTING REQUEST

### Bill

Received: 09/14/2011

Received By: agary

Wanted: As time permits

Companion to LRB:

For: Jerry Petrowski (608) 266-1182

By/Representing: Tim Fiocchi

May Contact:

Drafter: agary

Subject: Transportation - motor vehicles  
Transportation - traffic laws

Addl. Drafters:

Extra Copies: EVM

Submit via email: YES

Requester's email: Rep.Petrowski@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

### Pre Topic:

No specific pre topic given

### Topic:

Sealed transport weight permit for six axle vehicle combinations

### Instructions:

See attached

### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							S&L Vehicle
/P1	agary 09/18/2011	csicilia 09/20/2011	phenry 09/21/2011		sbasford 09/21/2011		S&L
/P2	agary 09/27/2011	csicilia 09/27/2011	phenry 09/27/2011		lparisi 09/27/2011		S&L
/1	agary	csicilia	jfrantze		mbarman	mbarman	

for Assembly

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	09/28/2011	09/28/2011	09/28/2011	_____	09/28/2011	09/28/2011	

FE Sent For:

<END>

→ At Intro.

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### **Topic:**

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/P2	agary 09/27/2011	csicilia 09/27/2011	phenry 09/27/2011	_____	lparisi 09/27/2011		

PA's:  
Please Jacket  
/1.  
Thx. Aaron

FE Sent For:

1 gjs  $\frac{9/28}{11}$  <sup><END></sup> 9/28

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Addl. Drafters:

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Requester's email: Rep.Petrowski@legis.wisconsin.gov

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### Pre Topic:

No specific pre topic given

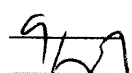
### Topic:

Sealed transport permit

### Instructions:

See attached

### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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CJS

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Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

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**Pre Topic:**

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**Topic:**

Scaled transport permit

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**Instructions:**

See attached

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**Drafting History:**

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/?	agary						
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P1 CJS 9/20/11  
PH  
PH

FE Sent For:

<END>



## Gary, Aaron

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**From:** Fiocchi, Tim  
**Sent:** Wednesday, September 14, 2011 2:34 PM  
**To:** Gary, Aaron  
**Cc:** Warren, Mitchell - DOT; Krieser, Steven - DOT; Himebauch, Casey - GOV; Sieg, Tricia  
**Subject:** FW: Drafting Instructions

**Attachments:** sealedtransport.docx; farmandfield.docx

Hi Aaron,

Attached are the drafting instructions for two bills increasing allowable weights on six axels to 90,000 pounds. As questions arise feel free to contact Mitch directly for technical stuff or both of us for policy issues.

Thanks for all your help,

Tim

---

**From:** Warren, Mitchell - DOT [<mailto:Mitchell.Warren@dot.wi.gov>]  
**Sent:** Wednesday, September 14, 2011 12:06 PM  
**To:** Fiocchi, Tim  
**Cc:** Krieser, Steven - DOT  
**Subject:** Drafting Instructions

Tim,

Attached are drafting instructions for two new proposed permits:

- Sealed Transport (aka Sealed Containers)
- Farm and Field (aka raw, unprocessed agriculture)



sealedtransport.d farmandfield.docx  
ocx (15 KB) (16 KB)

Please take a moment to review the provisions as there are specific restrictions in area of operation and commodities that you'll want to be aware of.

We believe the instructions to be complete **except for an attachment that our highways division is putting the final touches on**. The attachment will spell out the required amendment to 348.15(3)(c), which is the table that establishes maximum gross weight on specific axle configurations and where 90,000 lbs. on six axles will be added and is necessary for both permits.

We will need 6 months to implement the permits.

-Mitch

Mitchell Warren  
Bureau of Vehicle Services

Office: (608) 267-5121

### **Sealed Transport Permit**

**Policy Goal:** Act on a federal determination that commodities transported in containers or vehicles, which are sealed and in international trade, are not "reasonably divisible". Bordering states have already taken action on this federal determination. Proposed action will be consonant with federal directive that overweight transport of containers or vehicles that are sealed and in international trade must account for structural integrity of pavement and bridges. Proposed weight is consistent with the recommendations of the statutorily mandated Truck Size and Weight Study.

**Intent:** Create single-trip and multiple trip non-divisible load permits for sealed transport of commodities in international movement, allowing operation up to 90,000 lbs. GVW on 6 or more axles conforming to federal bridge formula.

### **Recommended Changes:**

- Create new permit subsections in s. 348.26 (single-trip) and s. 348.27 (multiple-trip)
  - Containers or vehicles shall be sealed with a tamper-evident seal affixed at time of loading
  - Containers or vehicles shall be operating in international transport
  - Single-trip cost is \$30 and multiple-trip cost for 12 mos. of operation is \$300. Prorate for multiple-trip permits per s. 348.25(8)
  - Applicant shall use the department's electronic application for single and multiple-trip permits and the electronic routing system for single-trip permits
  - Operation shall be valid on local, interstate, US and state highways, unless restricted under s. 349.15 or special and season weight limitations imposed under s. 348 and 349
  - Permit issuance by DOT only
- Amend 348.15(3)(c) to authorize operation at greater than 80,000 lbs. GVW (attachment to be provided)
- Effective date 6 mos. from signing

### **Notes:**

- Current statutory and administrative practice does not suspend non-divisible load permits during the spring thaw period.
- Creation of these permits shall be exempt from requirements of s. 13.096. Gross weight and axle weight conformity to federal bridge formula is consistent with the results of the statutorily mandated Wisconsin Truck Size and Weight Study (published June, '09).

## Gary, Aaron

---

**From:** Warren, Mitchell - DOT [Mitchell.Warren@dot.wi.gov]  
**Sent:** Thursday, September 15, 2011 10:07 AM  
**To:** Gary, Aaron  
**Cc:** Fiocchi, Tim  
**Subject:** RE: Drafting Instructions

Aaron,

1. We're in complete agreement. After our highways and permits folks dug in on this some more it became clear we will need a new table in the permit provisions and not in 348.15. We have a new table prepared and are just waiting on some final figures, but I expect to have that to you by noon today.
2. This is an interesting conundrum. We asked for an exemption from that requirement because we feel it's unnecessary, both of these proposals mirror the findings of the DOT Truck Size Weight Study with the weight/axle concept having been vigorously studied. What do you think our options are?

-Mitch

Mitchell Warren  
Bureau of Vehicle Services

Office: (608) 267-5121  
Mobile: (608) 219-5616  
mitchell.warren@dot.wi.gov

---

**From:** Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]  
**Sent:** Thursday, September 15, 2011 9:59 AM  
**To:** Warren, Mitchell - DOT  
**Cc:** Fiocchi, Tim - LEGIS  
**Subject:** RE: Drafting Instructions

Hi Mitch,

I'll probably have a few more questions when I start drafting these two bills, but after a quick reading, I wanted to follow up on a couple of issues.

1. I don't understand why we would need to do anything with the table in s. 348.15 (3) (c). That table governs when someone is operating *without a permit*. See s. 348.15 (3) (intro.) To the extent DOT wants to modify something stated in the table (especially if we are just talking about the 90,000 lb. weight limit), that language should be in the permit provision and not in s. 348.15 (3) (c). (See, for example, 90,000 and 98,000 lb. limits specified in s. 348.27 (9m) 1. and 4.) If you agree, I still need some idea of what you want in the permit provision with respect to the 90,000 lb. limit and 6 axles criteria, since this isn't really in the attachment sent to me.

2. This bill probably could not be effective to exempt DOT from s. 13.096 because s. 13.096 creates requirements that are imposed on DOT *before* the bill is enacted. However, that being said, it is my view that s. 13.096 is actually a legislative rule of proceeding that the legislature could choose not to follow, i.e. the legislature could vote on the bill before DOT's weight report is prepared. Since DOT by statute has up to 6 weeks to prepare its report from the time of introduction, it would be theoretically possible for the bill to exempt DOT from the requirement only if the bill passed through committees, both houses, was signed by the governor, and published within 6 weeks of introduction. It is possible

to include a non-stat in the bill that exempts DOT from s. 13.096, but unless the bill moves from introduction through enactment and publication within 6 weeks, this non-stat has no legal effect, and such a non-stat also assumes the legislature will consider s. 13.096 a rule of proceeding and choose to ignore it.

Aaron

Aaron R. Gary  
Attorney, Legislative Reference Bureau  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

---

**From:** Fiocchi, Tim  
**Sent:** Wednesday, September 14, 2011 2:34 PM  
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**Cc:** Warren, Mitchell - DOT; Krieser, Steven - DOT; Himebauch, Casey - GOV; Sieg, Tricia  
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<< File: sealedtransport.docx >> << File: farmandfield.docx >>

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-Mitch

**Gary, Aaron**

---

**From:** Warren, Mitchell - DOT [Mitchell.Warren@dot.wi.gov]  
**Sent:** Thursday, September 15, 2011 12:17 PM  
**To:** Gary, Aaron  
**Subject:** FW: Modified bridge formula table for permits  
**Attachments:** Modified Bridge Formula Table for Permits 2011 09 14.xlsx

Aaron,

The proposed table is attached and I included our internal e-mail in the event that the context would be beneficial, if not then ignore.

Note that the table will apply to the two new permits only.

-Mitch

Mitchell Warren  
Bureau of Vehicle Services

Office: (608) 267-5121  
Mobile: (608) 219-5616  
mitchell.warren@dot.wi.gov

---

**From:** Bernander, Paul - DOT  
**Sent:** Wednesday, September 14, 2011 3:58 PM  
**To:** Vieth, David - DOT; Becker, Scot - DOT; Warren, Mitchell - DOT; Nichols, Kathleen - DOT  
**Cc:** Thiel, Jim - DOT; Lynch, Peter G - DOT  
**Subject:** Modified bridge formula table for permits

At the meeting this pm (Jim Thiel, Dave Vieth, Scot Becker, Paul Bernander Kathleen Nichols), I agreed to draft the table for the allowable weights for 90k GVW on 6+ axles permits. See attached.

Mitch,

1. We would want this to be a table separate from Figure s. 348.15(3)(c), so it wouldn't risk the continued grandfather status of the (3)(c) table by adding to it. In that connection, Kathleen and I propose the drafter consider placing this table in 348.25 (permit area), perhaps, for example, as a new 348.25(12); in order to make it clear it applies to permits, not for other non-permit purposes if it were to be added as a separate table in section 348.15.
2. For the attached table, this is simply a reduced version of the table Dave sent yesterday. I:
  - a. Removed columns, retaining only those columns for length, and for 6, 7, and 8 axle combination vehicles, not straight trucks.
    - i. We concluded we would not include 5 axles over 80k, although the formula would allow some

increased weight at longer legal lengths. We want to emphasize the 6 axles of the Truck Size-Weight Study, and we have do have concerns about the weights over 80k on 5 axles, if I understood Scot correctly.

- ii. We concluded we would not include the 6 axle straight truck column. That column is a grandfathered column and addressing the details for the permit table would require more analysis than we have time for right now. We could add in the future (future leg. Sessions).
- b. Removed data from rows and columns with weights not 80k and less. Those rows relate to legal-weight operation and are therefore unnecessary for a table relating to permits.

All please review and let Mitch know quickly if I've made errors. Thanks!



Modified Bridge  
Formula Table ...

Paul

*Paul Bernander, Chief  
Motor Carrier Services Section  
Wisconsin Division of Motor Vehicles  
608-267-4541*

Distances in feet between foremost and rear-most axles of a group	6 consecutive axles of any combination of vehicles having a total of 6 or more axles	7 consecutive axles of a 7-axle vehicle or of any vehicle or combination of vehicles having a total of 7 or more axles	8 consecutive axles of a 8-axle vehicle or of any vehicle or combination of vehicles having a total of 8 or more axles
28			82,000
29			82,500
30			83,000
31			83,500
32			84,500
33			85,000
34			85,500
35		80,500	86,000
36		81,000	86,500
37		81,500	87,000
38		82,000	87,500
39		82,500	88,500
40		83,500	89,000
41		84,000	89,500
42		84,500	90,000
43		85,000	
44	80,500	85,500	
45	81,000	86,000	
46	81,500	87,000	
47	82,000	87,500	
48	83,000	88,000	
49	83,500	88,500	
50	84,000	89,000	
51	84,500	89,500	
52	85,000	90,000	
53	86,000		
54	86,500		
55	87,000		
56	87,500		
57	88,000		
58	89,000		
59	89,500		
60	90,000		

~~INSERT - Table for~~

Section #. 348.15 (3) (c) of the statutes is amended to read:

348.29

348.15 (3) (c) The gross weight imposed on the highway by any group of 2 or more consecutive axles of a vehicle or combination of vehicles may not exceed the maximum gross weights in the following table for each of the respective distances between axles and the respective numbers of axles of a group: [See Figure 348.15 (3) (c) following]

see table - next pages



create new table - using this for template

Figure 348.15 (3) (c):

Maximum gross weight in pounds on a group of—

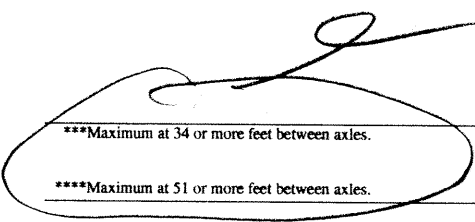
Distances in feet between foremost and rear-most axles of a group	2 consecutive axles of a 2-axle vehicle or any vehicle or combination of vehicles having a total of 3 or more axles	3 consecutive axles of a 3-axle vehicle or of any vehicle or combination of vehicles having a total of 4 or more axles	4 consecutive axles of any combination of vehicles having a total of 5 or more axles	4 consecutive axles of a 4-axle vehicle or of any vehicle having a total of 5 or more axles	5 consecutive axles of any combination of vehicles having a total of 5 or more axles	5 consecutive axles of a 5-axle vehicle or of any vehicle having a total of 6 or more axles	6 consecutive axles of any combination of vehicles having a total of 6 or more axles	6 consecutive axles of any vehicle having a total of 6 or more axles	7 consecutive axles of a 7-axle vehicle or of any vehicle or combination of vehicles having a total of 7 or more axles	8 consecutive axles of a 8-axle vehicle or of any vehicle or combination of vehicles having a total of 8 or more axles
4	34,000									
5	34,000									
6	34,000									
7	34,000	37,000								
7.5 to 8 more than 8 but less than 8.5	35,000 38,000	38,500 42,000								
9	39,000	43,000								
10	40,000	44,500	48,500							
11		44,500	49,500							
12		45,000	50,000	55,500						
13		46,000	50,500	60,000	62,500					
14		46,500	51,500	60,500	62,500					
15		47,500	52,000	61,500	62,500					
16		48,000	52,500	62,000	62,500	64,200				
17		49,000	53,500	63,000	63,200	71,700	64,000			
18		49,500	54,100	63,500	64,400	72,200	65,000			
19		50,500	55,100	64,500	65,000	73,000	65,500			
20		51,000	56,000	65,000	65,700	73,000	66,000	73,000		
21		52,200	56,800	66,000	66,900	73,000	66,900	73,000	73,000	
22		52,900	57,600	66,500	67,700	73,000	67,700	73,000	73,000	
23		53,600	58,400	67,500	68,900	73,000	68,900	73,000	73,500	
24		54,300	59,200	68,500	70,000	73,000	70,000	73,000	74,000	
25		55,000	60,000	69,000	71,000	73,000	71,000	73,000	74,500	80,000
26		55,700	60,800	69,500	72,000	73,000	72,000	73,000	75,000	80,000

27	56,500	61,600	70,500	72,800	73,000	72,800	73,000	76,000	80,000
28	57,100	62,400	71,300	73,000	73,000	73,000	73,000	76,500	80,000
29	58,000	63,200	72,000	73,000	73,000	73,000	73,000	77,000	80,000
30	58,500	64,000	72,700	73,000	73,000	73,000	73,000	77,500	80,000
31	59,500	64,000	73,000	73,000	73,000	73,000	73,000	78,000	80,000
32	60,000**	64,000	73,000*	73,000	73,000*	73,000	73,000	78,500	80,000
33		64,000		73,000		74,000		79,500	
34		64,500		73,000		74,500		80,000	
35		65,500		73,000		75,000			
36		66,000		73,000		75,500			
37		66,500		73,000		76,000			
38		67,500		73,000		77,000			
39		68,000		73,000		77,500			
40		68,500		73,000		78,000			
41		69,500		73,500		78,500			
42		70,000		74,500		79,000			
43		70,500		75,000		80,000			
44		71,500		75,500		80,000			
45		72,000		76,000		80,000			
46		72,500		77,000		80,000			
47		73,500		77,500		80,000			
48		74,000		78,000		80,000			
49		74,500		78,500		80,000			
50		75,500		79,500		80,000			
51		76,000***		80,000***		80,000***			

\*Maximum at 10 or more feet between axes.

\*\*Maximum at 32 or more feet between axes.

replace  
w/  
attached  
numbers



\*\*\*Maximum at 34 or more feet between axles.

\*\*\*\*Maximum at 51 or more feet between axles.

**History:** 1977 c. 29 ss. 1487p to 1487s, 1650m (4), 1654 (3); 1977 c. 418; 1979 c. 326; 1981 c. 312; 1983 a. 27, 345, 486; 1985 a. 202, 332; 1987 a. 174; 1989 a. 56, 70; 1995 a. 113, 227; 1999 a. 85; 2005 a. 347, 364; 2007 a. 20; 2009 a. 156.

New table → replace with this  
for 348.29

[table  
received  
from  
DOT]

	6 consecutive axles of any combination of vehicles having a total of 6 or more axles	7 consecutive axles of a 7-axle vehicle or of any vehicle or combination of vehicles having a total of 7 or more axles	8 consecutive axles of a 8-axle vehicle or of any vehicle or combination of vehicles having a total of 8 or more axles
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37		81,500	87,000
38		82,000	87,500
39		82,500	88,500
40		83,500	89,000
41		84,000	89,500
42		84,500	90,000
43		85,000	
44	80,500	85,500	
45	81,000	86,000	
46	81,500	87,000	
47	82,000	87,500	
48	83,000	88,000	
49	83,500	88,500	
50	84,000	89,000	
51	84,500	89,500	
52	85,000	90,000	
53	86,000		
54	86,500		
55	87,000		
56	87,500		
57	88,000		
58	89,000		
59	89,500		
60	90,000		



State of Wisconsin  
2011 - 2012 LEGISLATURE

in  
9/18



LRB-2900/P1  
ARG: /.....

wanted  
by 9/21

D-note  
inserts

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

cjs

SA✓

Gov. Scott

- 1 AN ACT ...; relating to: permits for overweight vehicle combinations transporting  
2 sealed containers or vehicles in international trade.

***Analysis by the Legislative Reference Bureau***

Under current law, with limited exceptions, no person may operate on a highway any vehicle or combination of vehicles that exceeds certain statutory weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local authority, as applicable.

This bill allows DOT to issue overweight permits for vehicle combinations (vehicles) that have six or more axles and that are transporting sealed loads. The bill defines a "sealed load" as a container or vehicle, being transported in international trade, in which commodities have been sealed inside with a tamper-evident seal. The permit does not authorize the operation of any vehicle combination at a maximum gross weight in excess of 90,000 pounds. The permit is valid on any highway except a highway or bridge with a posted weight limit that is less than the vehicle combination's gross weight. Permit applications must be made electronically to DOT utilizing an electronic process prescribed by DOT.

Because this bill concerns an exception to the vehicle weight limits specified in ch. 348, stats., the Department of Transportation, as required by law, will prepare a report to be printed as an appendix to this bill. ✓

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 348.25 (3) of the statutes is amended to read:

2           348.25 (3) The department shall prescribe forms for applications for all single  
3 trip permits the granting of which is authorized by s. 348.26 (2) <sup>✓</sup>to (7) and for those  
4 annual, consecutive month or multiple trip permits the granting of which is  
5 authorized by s. 348.27 (2) and (4) to (15). The department shall prescribe an  
6 electronic application process for permits the granting of which is authorized by ss.  
7 348.26 (8) and 348.27 (17). The department may impose such reasonable conditions  
8 prerequisite to the granting of any permit authorized by s. 348.26 or 348.27 and  
9 adopt such reasonable rules for the operation of a permittee thereunder as it deems  
10 necessary for the safety of travel and protection of the highways. The department  
11 may limit use of the highways under any permit issued to specified hours of the day  
12 or days of the week. Local officials granting permits may impose such additional  
13 reasonable conditions as they deem necessary in view of local conditions.

14           **SECTION 2.** 348.25 (8) (a) 3. of the statutes is amended to read:

15           348.25 (8) (a) 3. <sup>✓</sup>For Except as provided in subd. 4., for a vehicle or combination  
16 of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3), 10% of  
17 the fee specified in par. (b) 3. for an annual permit for the comparable gross weight,  
18 rounded to the nearest whole dollar.

**History:** 1973 c. 316, 333, 336; 1975 c. 66; 1977 c. 29 ss. 1488, 1654 (8) (a); 1979 c. 34, 221; 1981 c. 20, 69, 215, 312; 1981 c. 347 s. 80 (2), 1981 c. 391; 1983 a. 78 s. 37; 1985 a. 212; 1987 a. 27; 1989 a. 35, 130; 1991 a. 39, 316; 1993 a. 16; 1995 a. 163, 348; 1999 a. 9, 80; 2001 a. 78; 2003 a. 33; 2005 a. 167; 2007 a. 171; 2009 a. 28, 222.

19           **SECTION 3.** 348.25 (8) (a) 4. of the statutes is created to read:

20           348.25 (8) (a) 4. For a permit issued under s. 348.26 <sup>✓</sup>(8), \$30.

1           **SECTION 4.** 348.25 (8) (b) 3. (intro.) of the statutes is amended to read:      ✕

2           348.25 (8) (b) 3. (intro.) ~~For~~ Except as provided in subd. 4., for a vehicle or      ✓

3           combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15

4           (3):

5           History: 1973 c. 316, 333, 336; 1975 c. 66; 1977 c. 29 ss. 1488, 1654 (8) (a); 1979 c. 34, 221; 1981 c. 20, 69, 215, 312; 1981 c. 347 s. 80 (2); 1981 c. 391; 1983 a. 78 s. 37; 1985 a. 212; 1987 a. 27; 1989 a. 35, 130; 1991 a. 39, 316; 1993 a. 16; 1995 a. 163, 348; 1999 a. 9, 80; 2001 a. 78; 2003 a. 33; 2005 a. 167; 2007 a. 171; 2009 a. 28, 222.

5           **SECTION 5.** 348.25 (8) (b) 4. of the statutes is created to read:

6           348.25 (8) (b) 4. For a permit issued under s. 348.27 (17), \$300.      ✓ ✕

7           **SECTION 6.** 348.26 (1) of the statutes is amended to read:      ✕

8           348.26 (1) APPLICATIONS. All applications under subs. (2) to (7) for single trip

9           permits for the movement of oversize or overweight vehicles or loads shall be made

10          upon the form prescribed by the department and shall be made to the officer or

11          agency designated by this section as having authority to issue the particular permit

12          desired for use of the particular highway in question. All applications under sub. (8)      ✓

13          shall be made to the department utilizing an electronic process prescribed by the

14          department.

15          History: 1977 c. 29 s. 1654 (8) (a); 1977 c. 273; 1981 c. 20, 215, 312, 391; 1983 a. 78; 1997 a. 27; 1999 a. 185; 2001 a. 78; 2005 a. 170, 250; 2007 a. 11.

15          **SECTION 7.** 348.26 (2) of the statutes is amended to read:      ✕

16          348.26 (2) PERMITS FOR OVERSIZE OR OVERWEIGHT VEHICLES OR LOADS. Except as

17          provided in sub. subs. (4) and (8), single trip permits for oversize or overweight      ✓

18          vehicles or loads may be issued by the department for use of the state trunk highways

19          and by the officer in charge of maintenance of the highway to be used in the case of

20          other highways. Such local officials also may issue such single trip permits for use

21          of state trunk highways within the county or municipality which they represent.

22          Every single trip permit shall designate the route to be used by the permittee.

23          Whenever the officer or agency issuing such permit deems it necessary to have a

24          traffic officer escort the vehicle through the municipality or county, a reasonable fee

for such traffic officer's services shall be paid by the permittee. All moneys received from fees imposed by the department under this subsection shall be deposited in the general fund and credited to the appropriation account under s. 20.395 (5) (dg).

~~Cross-reference: Cross-reference: Cross-reference: See also ch. Trans 254, Wis. adm. code. Cross-reference:~~  
History: 1977 c. 29 s. 1654 (8) (a); 1977 c. 273; 1981 c. 20, 245, 312, 391; 1983 a. 78; 1997 a. 27; 1999 a. 185; 2001 a. 78; 2005 a. 170, 250; 2007 a. 11.

**SECTION 8. 348.26 (8) of the statutes is created to read:**

**348.26 (8) PERMITS FOR THE TRANSPORTATION OF SEALED LOADS IN INTERNATIONAL TRADE.** (a) The department may issue single trip permits for the transportation of sealed loads, as defined in s. 348.27 (17) (a), to applicants eligible for an annual or consecutive month permit under s. 348.27 (17), subject to the same requirements and limitations for annual and consecutive month permits described in s. 348.27 (17). A permit under this subsection may be issued only by the department, regardless of the highways to be used.

(b) A person issued a permit under this subsection shall use the automated routing system specified in s. 348.25 (11).

**SECTION 9. 348.27 (1) of the statutes is amended to read:**

**348.27 (1) APPLICATIONS.** All applications for annual, consecutive month or multiple trip permits for the movement of oversize or overweight vehicles or loads shall be made to the officer or agency designated by this section as having authority to issue the particular permit desired for use of the particular highway in question. All applications under subs. (2) and (4) to (15) shall be made upon forms prescribed by the department. All applications under sub. (17) shall be made utilizing an electronic process prescribed by the department.

**SECTION 10. 348.27 (17) of the statutes is created to read:**

**348.27 (17) PERMITS FOR THE TRANSPORTATION OF SEALED LOADS IN INTERNATIONAL TRADE.** (a) In this subsection, "sealed load" means a load consisting of a container



1 or vehicle, being transported in international trade, in which commodities have been  
2 sealed <sup>Q</sup>inside with a tamper-evident seal affixed at the time of initial loading.

3 (b) The department may issue annual or consecutive month permits for the  
4 transportation of sealed loads <sup>a</sup> in vehicle combinations <sup>a</sup> that <sup>has</sup> ~~have~~ 6 or more axles and  
5 that exceed <sup>s</sup> the maximum gross weight limitations under s. 348.15 (3) (c) if the  
6 vehicle combination does not exceed the maximum gross weight limitations under  
7 s. 348.29. Notwithstanding s. 348.15 (8), any axle of a vehicle combination that does  
8 not impose on the highway at least 8 percent of the gross weight of the vehicle  
9 combination may not be counted as an axle for the purposes of this paragraph. A  
10 permit issued under this subsection does not authorize the operation of any vehicle  
11 combination at a maximum gross weight in excess of 90,000 pounds.

12 (c) A permit under this subsection is not valid on any highway or bridge with  
13 a posted weight limitation that is less than the vehicle combination's gross weight.

14 **SECTION 11.** 348.28 (1) of the statutes is amended to read:

15 348.28 (1) Permits issued under ss. 348.25, 348.26 and 348.27 (1) to (10), (12) <sup>✓</sup>  
16 to (13), and (15), and (17) shall be carried on the vehicle during operations so  
17 permitted.

18 <sup>^</sup>  
**SECTION 12.** 348.29 of the statutes is created to read:

19 **348.29 Weight limitations for certain permits.** Notwithstanding s. 348.15  
20 (3) (c), for any vehicle combination operating under a permit issued under s. 348.26  
21 <sup>✓</sup> (8) or 348.27 <sup>✓</sup> (17), the gross weight imposed on the highway by any group of 6 or more  
22 consecutive axles of a vehicle or combination of vehicles may not exceed the  
23 maximum gross weights in the following table for each of the respective distances  
24 between axles and the respective numbers of axles of a group: [See Figure 348.29  
25 following]

1

2

INSERT TABLE HERE

3

4

**SECTION 13. Effective date.**

5

(1) This act takes effect on the first day of the 7th month beginning after  
publication.

6

7

(END)

*D-Note*

**2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2900/P1ins  
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3

**INSERT 3-6:** ✓

4

**SECTION 1.** 348.25 (8) (d) of the statutes is amended to read:

5

348.25 (8) (d) For the purpose of computing the fees under this subsection, if

6

the vehicle or combination of vehicles exceeds weight limitations, no fee in addition

7

to the fee under par. (a) 3. or 4., (b) 3. or 4., or (bm) shall be charged if the vehicle also

8

exceeds length, width or height limitations or any combination thereof.

9

**History:** 1973 c. 316, 333, 336; 1975 c. 66; 1977 c. 29 ss. 1488, 1654 (8) (a); 1979 c. 34, 221; 1981 c. 20, 69, 215, 312; 1981 c. 347 s. 80 (2), 1981 c. 391; 1983 a. 78 s. 37; 1985 a. 212; 1987 a. 27; 1989 a. 35, 130; 1991 a. 39, 316; 1993 a. 16; 1995 a. 163, 348; 1999 a. 9, 80; 2001 a. 78; 2003 a. 33; 2005 a. 167; 2007 a. 171; 2009 a. 28, 222.

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2900/P1dn

ARG/.....

gs

- Late -

⑨ Also, should the headings for 7 and 8 axles in the new table in s. 348.29 refer only to vehicle combinations, like the heading for 6 axles?

Please review the attached draft carefully to ensure that it is consistent with your intent.

The instructions state that the sealed container permit is intended for non-divisible loads. Therefore, in s. 348.27 (17), I have defined a "sealed load" to mean only one container or vehicle containing commodities. I have also not included s. 348.26 (8) or 348.27 (17) as an exception to the non-divisibility requirement in s. 348.25 (4) (intro.) ✓

If you intended for the draft to apply to the transportation of multiple containers or vehicles on a vehicle combination, please let me know, as I will change the definition in s. 348.27 (17) (a) to apply to "one or more containers or vehicles" and add ss. 348.26 (8) and 348.27 (17) in the list of cross-referenced exceptions in s. 348.25 (4) (intro.) ⊙

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

⑩ I assume the applicable weight limitations <sup>reference</sup> under created s. 348.29 will be stated or in the permit. This is significant because the penalty provisions in s. 348.21 (3) are tied to the weight authorized in the permit.

**2011-2012 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2900/P1insCJS

.....

**INSERT TABLE**

**Figure 348.29:**

Maximum gross weight in pounds on a group of—			
Distances in feet between foremost and rearmost axles of a group	6 consecutive axles of any combination of vehicles having a total of 6 or more axles	7 consecutive axles of a 7-axle vehicle or of any vehicle or combination of vehicles having a total of 7 or more axles	8 consecutive axles of a 8-axle vehicle or of any vehicle or combination of vehicles having a total of 8 or more axles
28			82,000
29			82,500
30			83,000
31			83,500
32			84,500
33			85,000
34			85,500
35		80,500	86,000
36		81,000	86,500
37		81,500	87,000
38		82,000	87,500
39		82,500	88,500
40		83,500	89,000
41		84,000	89,500
42		84,500	90,000
43		85,000	
44	80,500	85,500	
45	81,000	86,000	
46	81,500	87,000	
47	82,000	87,500	
48	83,000	88,000	
49	83,500	88,500	
50	84,000	89,000	
51	84,500	89,500	
52	85,000	90,000	
53	86,000		
54	86,500		
55	87,000		
56	87,500		
57	88,000		



58	89,000
59	89,500
60	90,000

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END INSERT TABLE

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2900/P1dn  
ARG:cjs:ph

September 20, 2011

Please review the attached draft carefully to ensure that it is consistent with your intent.

The instructions state that the sealed container permit is intended for non-divisible loads. Therefore, in s. 348.27 (17), I have defined a "sealed load" to mean only one container or vehicle containing commodities. I have also not included s. 348.26 (8) or 348.27 (17) as an exception to the non-divisibility requirement in s. 348.25 (4) (intro.) If you intended for the draft to apply to the transportation of multiple containers or vehicles on a vehicle combination, please let me know, as I will change the definition in s. 348.27 (17) (a) to apply to "one or more containers or vehicles" and add ss. 348.26 (8) and 348.27 (17) in the list of cross-referenced exceptions in s. 348.25 (4) (intro.).

I assume the applicable weight limitation under created s. 348.29 will be stated or referenced in the permit. This is significant because the penalty provisions in s. 348.21 (3) are tied to the weight authorized in the permit.

Also, should the headings for 7 and 8 axles in the new table in s. 348.29 refer only to vehicle combinations, like the heading for 6 axles?

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

## Gary, Aaron

---

**From:** Warren, Mitchell - DOT [Mitchell.Warren@dot.wi.gov]  
**Sent:** Tuesday, September 27, 2011 10:47 AM  
**To:** Gary, Aaron  
**Cc:** Fiocchi, Tim; Krieser, Steven - DOT  
**Subject:** RE: Sealed Container Draft

Thanks Aaron, the difference is acknowledged. You can continue to leave s. 348.27(17)(c) out.

-Mitch

---

**From:** Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]  
**Sent:** Tuesday, September 27, 2011 10:37 AM  
**To:** Warren, Mitchell - DOT  
**Cc:** Fiocchi, Tim - LEGIS; Krieser, Steven - DOT  
**Subject:** RE: Sealed Container Draft

Thanks. The redraft is finished, but I want to double check one thing that just occurred to me.

On the second comment below re section 11, there is a slight difference between s. 348.17 (1) and the language in created s. 348.27 (17) (c) in the draft. The draft flatly prohibits these permits from allowing vehicles to exceed posted weight limits. Section 348.17 (1) prohibits vehicles with a permit from exceeding posted weight limits *unless* authorized in the permit. As far as I can tell, theoretically, DOT could authorize the exceeding of posted weight limits in these permits so long as the vehicles did not exceed 90,000 lbs. So there is a slight difference. I have removed created s. 348.27 (17) (c) from the draft and I assume that is what DOT still wants. But please let me know if you think it should stay in - the language there is pretty common in some of the other annual permit provisions.

Thanks. Aaron

Aaron R. Gary  
Attorney, Legislative Reference Bureau  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

---

**From:** Warren, Mitchell - DOT [mailto:Mitchell.Warren@dot.wi.gov]  
**Sent:** Tuesday, September 27, 2011 10:24 AM  
**To:** Gary, Aaron  
**Cc:** Fiocchi, Tim; Krieser, Steven - DOT  
**Subject:** RE: Sealed Container Draft

Hi Aaron. I concur with your assessment, please ignore the "addition" part.

We had the same comment in the Farm and Field Permit draft, please ignore that as well.

Thanks.

-Mitch



Mitchell Warren  
Bureau of Vehicle Services

Office: (608) 267-5121  
Mobile: (608) 219-5616  
mitchell.warren@dot.wi.gov

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**From:** Gary, Aaron [<mailto:Aaron.Gary@legis.wisconsin.gov>]  
**Sent:** Tuesday, September 27, 2011 10:09 AM  
**To:** Warren, Mitchell - DOT  
**Cc:** Fiocchi, Tim - LEGIS; Krieser, Steven - DOT  
**Subject:** RE: Sealed Container Draft

Hi Mitch,

I made all of these changes except that the one question I had was the "addition" below. For single trip permits, the general provision for that statutory section is s. 348.26 (2), which states in part, "Except as provided in sub. (4), single trip permits for oversize or overweight vehicles or loads may be issued by the department for use of the state trunk highways and by the officer in charge of maintenance of the highway to be used in the case of other highways. Such local officials also may issue such single trip permits for use of state trunk highways within the county or municipality which they represent." There is no similar provision for annual and consecutive month permits. In contrast, s. 348.27 (2) states, "Except as otherwise restricted in this section, annual and consecutive month permits for oversize or overweight vehicles or loads may be issued by the department, regardless of the highways involved." The newly created s. 348.27 (17) authorizes only the department to issue the permit; it does not authorize local authorities to do so. I believe there is a reason to put the language "A permit issued under this subsection may be issued only by the department, regardless of the highways to be used" in s. 348.26 but I don't believe it is needed in s. 348.27. If you still want this language added in created s. 348.27 (17), I can do that, but I believe it is surplusage.

Let me know how you want me to proceed.

Thanks. Aaron

Aaron R. Gary  
Attorney, Legislative Reference Bureau  
608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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**From:** Warren, Mitchell - DOT [<mailto:Mitchell.Warren@dot.wi.gov>]  
**Sent:** Monday, September 26, 2011 4:44 PM  
**To:** Gary, Aaron  
**Cc:** Fiocchi, Tim; Krieser, Steven - DOT  
**Subject:** RE: Sealed Container Draft  
**Importance:** High

Hi Aaron, a few minor things on this one. As always thank you for the excellent draft.

**Section 11**, suggest the following

In this subsection, "sealed load" means a load consisting of a container or vehicle, being transported in international trade, in which ~~commodities have~~ has been sealed with a tamper-evident seal affixed at the time of initial loading.

**Section 11:** Suggest striking the language in s. 348.27(17)c. We think it is covered under s. 348.17(1).

**Section 12:** We'd like to have the permit carrying requirement extended to all of s. 348.25, 26 and 27.

**Addition:** In relation to single-trip permits you added language in Section 9 per our request indicating "A permit issued under this subsection may be issued only by the department, regardless of the highways to be used". We think we need something like this in 348.27 as well to provide the same direction for annual, consecutive month or multiple trip permits.

**Drafter's Note questions:**

- Yes, sealed container means one container
- Yes, we will state the weight on the permit
- The table headings for 7 and 8 axles can remain as they are, reflecting single vehicles and vehicle combinations. In fact, we would ask that throughout the new permit that it be updated to reflect both single vehicle and vehicle combinations (ex. Section 11, pg. 5, line 6, make reference to single vehicle or vehicle combination).

-Mitch

Mitchell Warren  
Bureau of Vehicle Services

Office: (608) 267-5121  
Mobile: (608) 219-5616  
mitchell.warren@dot.wi.gov

---

**From:** Fiocchi, Tim [<mailto:Tim.Fiocchi@legis.wisconsin.gov>]  
**Sent:** Wednesday, September 21, 2011 3:39 PM  
**To:** Krieser, Steven - DOT; Warren, Mitchell - DOT  
**Cc:** Schoenfeldt, Eileen - GOV; Himebauch, Casey - GOV  
**Subject:** Sealed Container Draft

Good afternoon,

Attached is a preliminary draft on the sealed container bill. Please take a look at it and let us know if there are any concerns.

Thank you,

Tim Fiocchi  
Clerk, Assembly Transportation Committee  
Office of Representative Jerry Petrowski  
(608) 266-1182

<< File: 11-2900P1dn.pdf>> << File: 11-2900P1.pdf>>

**Gary, Aaron**

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**From:** Fiocchi, Tim  
**Sent:** Monday, September 26, 2011 2:36 PM  
**To:** Gary, Aaron; Warren, Mitchell - DOT  
**Subject:** RE: Drafting Instructions - 13.096

That works for me. The study (<http://www.topslab.wisc.edu/workgroups/wtsws.html>) is titled Wisconsin Truck Size and Weight Study and the final report is dated June 15, 2009. Unless Mitch has some other more specific title I think that should do.

Thanks!

---

**From:** Gary, Aaron  
**Sent:** Monday, September 26, 2011 2:14 PM  
**To:** Warren, Mitchell - DOT; Fiocchi, Tim  
**Subject:** RE: Drafting Instructions - 13.096

Mitch and Tim,

Here is proposed language for the analysis and a non-statutory provision for LRB-2900 and LRB-2901. This analysis will replace the boilerplate language at the bottom of p. 1 of -2900 (and in -2901 also). Does this work for you? Is the name of the study correct? This draft should use the exact name of the study (and date if you want). Thanks.

**Analysis**

Under current law, if any bill introduced in either house of the legislature directly or indirectly establishes an exception to vehicle weight limitations, DOT must prepare a report, containing specified information, relating to the bill within six weeks after the bill is introduced and before any vote is taken on the bill. This bill directs DOT not to prepare such a report on this bill because DOT recently completed a Truck Size Weight Study that contained the same or similar information that would be contained in a report on this bill.

**Non-stat**

(1) Exception to review by the department of transportation. Notwithstanding section 13.096 (2) of the statutes, the department of transportation shall not prepare a report on this bill under section 13.096 (2) and (3) of the statutes because the department recently completed a Truck Size Weight Study that contained the same or similar information that would be contained in a report on this bill under section 13.096 (2) and (3) of the statutes.

Aaron R. Gary  
Attorney, Legislative Reference Bureau  
608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

9/26 t/c w/ Tim

• wants non-stat re 13.096 -  
refer to DOT study

## Gary, Aaron

---

**From:** Warren, Mitchell - DOT [Mitchell.Warren@dot.wi.gov]  
**Sent:** Monday, September 26, 2011 4:30 PM  
**To:** Fiocchi, Tim; Gary, Aaron  
**Subject:** RE: Drafting Instructions - 13.096

Works for us too, and the title and date Tim provided are what we'd suggest.

-Mitch

Mitchell Warren  
Bureau of Vehicle Services

Office: (608) 267-5121  
Mobile: (608) 219-5616  
mitchell.warren@dot.wi.gov

---

**From:** Fiocchi, Tim [mailto:Tim.Fiocchi@legis.wisconsin.gov]  
**Sent:** Monday, September 26, 2011 2:36 PM  
**To:** Gary, Aaron - LEGIS; Warren, Mitchell - DOT  
**Subject:** RE: Drafting Instructions - 13.096

That works for me. The study (<http://www.topslab.wisc.edu/workgroups/wtsws.html>) is titled Wisconsin Truck Size and Weight Study and the final report is dated June 15, 2009. Unless Mitch has some other more specific title I think that should do.

Thanks!

---

**From:** Gary, Aaron  
**Sent:** Monday, September 26, 2011 2:14 PM  
**To:** Warren, Mitchell - DOT; Fiocchi, Tim  
**Subject:** RE: Drafting Instructions - 13.096

Mitch and Tim,

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### Analysis

Under current law, if any bill introduced in either house of the legislature directly or indirectly establishes an exception to vehicle weight limitations, DOT must prepare a report, containing specified information, relating to the bill within six weeks after the bill is introduced and before any vote is taken on the bill. This bill directs DOT not to prepare such a report on this bill because DOT recently completed a Truck Size Weight Study that contained the same or similar information that would be contained in a report on this bill.

### Non-stat

(1) Exception to review by the department of transportation. Notwithstanding section 13.096 (2) of the statutes, the department of transportation shall not prepare a report on this bill under section 13.096 (2) and (3) of the statutes because the department recently completed a Truck Size Weight Study that contained the same or similar information that would be contained in a report on this bill under section 13.096 (2) and (3) of the statutes.



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## Wisconsin Truck Size and Weight Study

### Project Deliverables and Other Project Information

Name	File	Size	Date Posted
Final Report		15.8 MB	07/15/2009
Executive Summary		3.78 MB	07/15/2009
Study Overview Presentation		1.79 MB	07/15/2009
Interim Final Report Submitted to Legislature		4.74 MB	12/31/2008
Calendar of Events		83 KB	10/17/2008
Scope of Services		584 KB	10/17/2008

### Upcoming Events

Upcoming Events	Date	Place
WisDOT Freight Issues Committee (Internal) Meeting	06/11/2009	WisDOT

### Freight Issues Committee

Name	File	Size	Date Posted
<b>02/12/2009 Freight Issues Committee Meeting 1</b>			
Public Report		3.85MB	03/09/2009
<u>Internal Review Materials</u>			03/09/2009
<b>04/09/2009 Freight Issues Committee Meeting 2</b>			
Agenda		27 KB	04/15/2009
Meeting Presentation		1.12 MB	04/15/2009
DTIM wind presentation		93 KB	04/15/2009
System LOS Status		29 KB	04/15/2009
AWEA Briefing		46 KB	04/15/2009

### Trucking Issues Group (TIG)

Name	File	Size	Date Posted
<b>08/05/2008 WisDOT Trucking Issues Group Meeting 1</b>			
Meeting Agenda		61 KB	08/26/2008
Meeting Minutes		102 KB	08/26/2008
Handouts		45 KB	08/26/2008
Mississippi Valley Freight Coalition Projects Schedule		154 KB	08/26/2008
Mississippi Valley Freight Coalition Phase I and II Projects		102 KB	08/26/2008
Final Presentation		1.97 MB	08/26/2008
<b>09/09/2008 WisDOT Trucking Issues Group Meeting 2</b>			
Meeting Agenda		19 KB	09/11/2008
Schedule		13 KB	09/11/2008
Outreach Plan		531 KB	09/11/2008
Minnesota Truck Size and Weight Law Changes		47 KB	09/11/2008
Minnesota Truck Size and Weight Recommendations		35 KB	09/11/2008
Final Presentation		2.62 MB	09/11/2008
<b>10/07/2008 WisDOT Trucking Issues Group Meeting 3</b>			
Meeting Agenda		8 KB	10/17/2008
Meeting Minutes		96 KB	10/17/2008
Final Presentation		2.88 MB	10/17/2008
<b>11/04/2008 WisDOT Trucking Issues Group Meeting 4</b>			
Meeting Agenda		8 KB	11/06/2008
Meeting Minutes		67 KB	12/31/2008
Final Presentation		2.2 MB	12/31/2008
<b>12/16/2008 WisDOT Trucking Issues Group Meeting 5</b>			
Meeting Agenda		8 KB	12/31/2008
Meeting Minutes		75 KB	12/31/2008
Final Presentation		1.74MB	12/31/2008

### Truck Size and Weight Study Advisory Group

Name	File	Size	Date Posted
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# Wisconsin TRUCK SIZE AND WEIGHT STUDY



June 15, 2009

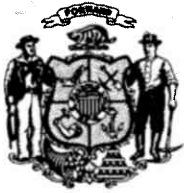
*prepared for*  
Wisconsin Department of Transportation

*prepared by*  
Cambridge Systematics, Inc.

*with*  
National Center for Freight and Infrastructure  
Research and Education (CFIRE) at the  
University of Wisconsin-Madison

*and*  
Harry Cohen  
Woodrooffe Dynamics, LLC  
Stetenfeld Associates, LLC  
Earth Tech/AECOM  
Prime Focus, LLC  
TranSmart Technologies, Inc.  
Abrazo Multicultural Marketing & Communication  
Wisconsin Traffic Operations and Safety Laboratory (TOPS)  
at the University of Wisconsin-Madison





State of Wisconsin  
2011 - 2012 LEGISLATURE

TODAY  
if possible



LRB-2900/11 P2  
ARG:cjs:ph

in  
9/27

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

stays

Gar Cat

SAV

- 1 AN ACT *to amend* 348.25 (3), 348.25 (8) (a) 3., 348.25 (8) (b) 3. (intro.), 348.25 (8)  
2 (d), 348.26 (1), 348.26 (2), 348.27 (1) and 348.28 (1); and *to create* 348.25 (8) (a)  
3 4., 348.25 (8) (b) 4., 348.26 (8), 348.27 (17) and 348.29 of the statutes; **relating**  
4 **to:** permits for overweight <sup>vehicles or</sup> vehicle combinations transporting sealed containers  
5 or vehicles in international trade.

**Analysis by the Legislative Reference Bureau**

Under current law, with limited exceptions, no person may operate on a highway any vehicle or combination of vehicles that exceeds certain statutory weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local authority, as applicable.

\* This bill allows DOT to issue overweight permits for <sup>vehicles or</sup> vehicle combinations (vehicles) that have six or more axles and that are transporting sealed loads. The bill defines a "sealed load" as a container or vehicle, being transported in international trade, ~~in which commodities have~~ been sealed ~~inside~~ with a tamper-evident seal. The permit does not authorize the operation of any vehicle ~~combination~~ at a maximum gross weight in excess of 90,000 pounds. ~~The permit is valid on any highway except a highway or bridge with a posted weight limit that is less than the vehicle combination's gross weight.~~ Permit applications must be made electronically to DOT utilizing an electronic process prescribed by DOT.

Because this bill concerns an exception to the vehicle weight limits specified in ch. 348, stats., the Department of Transportation, as required by law, will prepare a report to be printed as an appendix to this bill.

insert  
ANAL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 348.25 (3) of the statutes is amended to read:

2           348.25 (3) The department shall prescribe forms for applications for all single  
3 trip permits the granting of which is authorized by s. 348.26 (2) to (7) and for those  
4 annual, consecutive month or multiple trip permits the granting of which is  
5 authorized by s. 348.27 (2) and (4) to (15). The department shall prescribe an  
6 electronic application process for permits the granting of which is authorized by ss.  
7 348.26 (8) and 348.27 (17). The department may impose such reasonable conditions  
8 prerequisite to the granting of any permit authorized by s. 348.26 or 348.27 and  
9 adopt such reasonable rules for the operation of a permittee thereunder as it deems  
10 necessary for the safety of travel and protection of the highways. The department  
11 may limit use of the highways under any permit issued to specified hours of the day  
12 or days of the week. Local officials granting permits may impose such additional  
13 reasonable conditions as they deem necessary in view of local conditions.

14           **SECTION 2.** 348.25 (8) (a) 3. of the statutes is amended to read:

15           348.25 (8) (a) 3. ~~For~~ Except as provided in subd. 4., for a vehicle or combination  
16 of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3), 10% of  
17 the fee specified in par. (b) 3. for an annual permit for the comparable gross weight,  
18 rounded to the nearest whole dollar.

19           **SECTION 3.** 348.25 (8) (a) 4. of the statutes is created to read:

20           348.25 (8) (a) 4. For a permit issued under s. 348.26 (8), \$30.

21           **SECTION 4.** 348.25 (8) (b) 3. (intro.) of the statutes is amended to read:



1           348.25 (8) (b) 3. (intro.) ~~For~~ Except as provided in subd. 4., for a vehicle or  
2 combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15  
3 (3):

4           **SECTION 5.** 348.25 (8) (b) 4. of the statutes is created to read:

5           348.25 (8) (b) 4. For a permit issued under s. 348.27 (17), \$300.

6           **SECTION 6.** 348.25 (8) (d) of the statutes is amended to read:

7           348.25 (8) (d) For the purpose of computing the fees under this subsection, if  
8 the vehicle or combination of vehicles exceeds weight limitations, no fee in addition  
9 to the fee under par. (a) 3. or 4., (b) 3. or 4., or (bm) shall be charged if the vehicle also  
10 exceeds length, width or height limitations or any combination thereof.

11           **SECTION 7.** 348.26 (1) of the statutes is amended to read:

12           348.26 (1) APPLICATIONS. All applications under subs. (2) to (7) for single trip  
13 permits for the movement of oversize or overweight vehicles or loads shall be made  
14 upon the form prescribed by the department and shall be made to the officer or  
15 agency designated by this section as having authority to issue the particular permit  
16 desired for use of the particular highway in question. All applications under sub. (8)  
17 shall be made to the department utilizing an electronic process prescribed by the  
18 department.

19           **SECTION 8.** 348.26 (2) of the statutes is amended to read:

20           348.26 (2) PERMITS FOR OVERSIZE OR OVERWEIGHT VEHICLES OR LOADS. Except as  
21 provided in sub. subs. (4) and (8), single trip permits for oversize or overweight  
22 vehicles or loads may be issued by the department for use of the state trunk highways  
23 and by the officer in charge of maintenance of the highway to be used in the case of  
24 other highways. Such local officials also may issue such single trip permits for use  
25 of state trunk highways within the county or municipality which they represent.

1 Every single trip permit shall designate the route to be used by the permittee.  
2 Whenever the officer or agency issuing such permit deems it necessary to have a  
3 traffic officer escort the vehicle through the municipality or county, a reasonable fee  
4 for such traffic officer's services shall be paid by the permittee. All moneys received  
5 from fees imposed by the department under this subsection shall be deposited in the  
6 general fund and credited to the appropriation account under s. 20.395 (5) (dg).

7 **SECTION 9.** 348.26 (8) of the statutes is created to read:

8 348.26 (8) PERMITS FOR THE TRANSPORTATION OF SEALED LOADS IN INTERNATIONAL  
9 TRADE. (a) The department may issue single trip permits for the transportation of  
10 a sealed load, as defined in s. 348.27 (17) (a), to applicants eligible for an annual or  
11 consecutive month permit under s. 348.27 (17), subject to the same requirements and  
12 limitations for annual and consecutive month permits described in s. 348.27 (17). A  
13 permit under this subsection may be issued only by the department, regardless of the  
14 highways to be used.

15 (b) A person issued a permit under this subsection shall use the automated  
16 routing system specified in s. 348.25 (11).

17 **SECTION 10.** 348.27 (1) of the statutes is amended to read:

18 348.27 (1) APPLICATIONS. All applications for annual, consecutive month or  
19 multiple trip permits for the movement of oversize or overweight vehicles or loads  
20 shall be made to the officer or agency designated by this section as having authority  
21 to issue the particular permit desired for use of the particular highway in question.  
22 All applications under subs. (2) and (4) to (15) shall be made upon forms prescribed  
23 by the department. All applications under sub. (17) shall be made utilizing an  
24 electronic process prescribed by the department.

25 **SECTION 11.** 348.27 (17) of the statutes is created to read:

1 348.27 (17) PERMITS FOR THE TRANSPORTATION OF SEALED LOADS IN INTERNATIONAL  
2 TRADE. (a) In this subsection, "sealed load" means a load consisting of a container  
3 or vehicle, being transported in international trade, <sup>that has</sup> ~~in which commodities have~~ been  
4 sealed with a tamper-evident seal affixed at the time of initial loading.

5 (b) The department may issue annual or consecutive month permits for the  
6 transportation of a sealed load in a <sup>vehicle or</sup> vehicle combination that has 6 or more axles and  
7 that exceeds the maximum gross weight limitations under s. 348.15 (3) (c) if the  
8 <sup>vehicle or</sup> vehicle combination does not exceed the maximum gross weight limitations under  
9 s. 348.29. Notwithstanding s. 348.15 (8), any axle of a <sup>vehicle or</sup> vehicle combination that does  
10 not impose on the highway at least 8 percent of the gross weight of the <sup>vehicle or</sup> vehicle  
11 combination may not be counted as an axle for the purposes of this paragraph. A  
12 permit issued under this subsection does not authorize the operation of any <sup>vehicle or</sup> vehicle  
13 combination at a maximum gross weight in excess of 90,000 pounds.

14 (c) A permit under this subsection is not valid on any highway or bridge with  
15 a posted weight limitation that is less than the vehicle combination's gross weight.

16 SECTION 12. 348.28 (1) of the statutes is amended to read:

17 348.28 (1) Permits issued under ss. 348.25, 348.26 and 348.27 <sup>strike 2</sup> ~~(1) to (10), (12)~~  
18 <sup>strike 2</sup> ~~to (13), and (15) and (17)~~ shall be carried on the vehicle during operations so  
19 permitted.

20 SECTION 13. 348.29 of the statutes is created to read:

21 348.29 Weight limitations for certain permits. Notwithstanding s. 348.15  
22 (3) (c), for any <sup>vehicle or</sup> vehicle combination operating under a permit issued under s. 348.26  
23 (8) or 348.27 (17), the gross weight imposed on the highway by any group of 6 or more  
24 consecutive axles of a vehicle or combination of vehicles may not exceed the  
25 maximum gross weights in the following table for each of the respective distances

between axles and the respective numbers of axles of a group: [See Figure 348.29 following]

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**Figure 348.29:**

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Maximum gross weight in pounds on a group of—

Distances in feet between foremost and rearmost axles of a group	6 consecutive axles of any combination of vehicles having a total of 6 or more axles	7 consecutive axles of a 7-axle vehicle or of any vehicle or combination of vehicles having a total of 7 or more axles	8 consecutive axles of a 8-axle vehicle or of any vehicle or combination of vehicles having a total of 8 or more axles
28			82,000
29			82,500
30			83,000
31			83,500
32			84,500
33			85,000
34			85,500
35		80,500	86,000
36		81,000	86,500
37		81,500	87,000
38		82,000	87,500
39		82,500	88,500
40		83,500	89,000
41		84,000	89,500
42		84,500	90,000
43		85,000	
44	80,500	85,500	
45	81,000	86,000	
46	81,500	87,000	
47	82,000	87,500	
48	83,000	88,000	
49	83,500	88,500	
50	84,000	89,000	
51	84,500	89,500	
52	85,000	90,000	
53	86,000		

54	86,500
55	87,000
56	87,500
57	88,000
58	89,000
59	89,500
60	90,000

---

1

2

**SECTION 14. Effective date.**

3

(1) This act takes effect on the first day of the 7th month beginning after

4

publication.

5

(END)

insert 7-1

**2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2900/P2ins

ARG:.....

**INSERT ANAL:**

The bill further specifies that, as ~~with~~ all other vehicle size or ~~weight~~ permits, if DOT issues an agricultural emergency permit or farm machinery permit, the permit must be carried on the vehicle during operation.

Under current law, if any bill introduced in either house of the legislature directly or indirectly establishes an exception to vehicle weight limitations, DOT must prepare a report, containing specified information, relating to the bill within six weeks after the bill is introduced and before any vote is taken on the bill. This bill directs DOT not to prepare such a report on this bill because DOT recently completed the Wisconsin Truck Size and Weight Study that contained the same or similar information that would be contained in a report on this bill.

**INSERT 7-1:**

**SECTION 1. Nonstatutory provisions.**

(1) EXCEPTION TO REVIEW BY THE DEPARTMENT OF TRANSPORTATION.

Notwithstanding section 13.096 (2) of the statutes, the department of transportation shall not prepare a report on this bill under section 13.096 (2) and (3) of the statutes because the department recently completed the Wisconsin Truck Size and Weight Study, with a final report dated June 15, 2009, that contained the same or similar information that would be contained in a report on this bill under section 13.096 (2) and (3) of the statutes.



State of Wisconsin  
2011 - 2012 LEGISLATURE

(Now)



LRB-2900/P2

ARG:cjs:ph

in 9/28

stays

RM

9/28 per Tim - want 11 ABAP  
**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

Only change - p. 5 -  
editor: was included in draft  
edited yesterday

Con Cat

1 **AN ACT to amend** 348.25 (3), 348.25 (8) (a) 3., 348.25 (8) (b) 3. (intro.), 348.25 (8)  
2 (d), 348.26 (1), 348.26 (2), 348.27 (1) and 348.28 (1); and **to create** 348.25 (8) (a)  
3 4., 348.25 (8) (b) 4., 348.26 (8), 348.27 (17) and 348.29 of the statutes; **relating**  
4 **to:** permits for overweight vehicles or vehicle combinations transporting sealed  
5 containers or vehicles in international trade.

***Analysis by the Legislative Reference Bureau***

Under current law, with limited exceptions, no person may operate on a highway any vehicle or combination of vehicles that exceeds certain statutory weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local authority, as applicable.

This bill allows DOT to issue overweight permits for vehicles or vehicle combinations (vehicles) that have six or more axles and that are transporting sealed loads. The bill defines a "sealed load" as a container or vehicle, being transported in international trade, that has been sealed with a tamper-evident seal. The permit does not authorize the operation of any vehicle at a maximum gross weight in excess of 90,000 pounds. Permit applications must be made electronically to DOT utilizing an electronic process prescribed by DOT.

The bill further specifies that, as with all other vehicle size or weight permits, if DOT issues an agricultural emergency permit or farm machinery permit, the permit must be carried on the vehicle during operation.

Under current law, if any bill introduced in either house of the legislature directly or indirectly establishes an exception to vehicle weight limitations, DOT

must prepare a report, containing specified information, relating to the bill within six weeks after the bill is introduced and before any vote is taken on the bill. This bill directs DOT not to prepare such a report on this bill because DOT recently completed the Wisconsin Truck Size and Weight Study that contained the same or similar information that would be contained in a report on this bill.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 348.25 (3) of the statutes is amended to read:

2           348.25 (3) The department shall prescribe forms for applications for all single  
3 trip permits the granting of which is authorized by s. 348.26 (2) to (7) and for those  
4 annual, consecutive month or multiple trip permits the granting of which is  
5 authorized by s. 348.27 (2) and (4) to (15). The department shall prescribe an  
6 electronic application process for permits the granting of which is authorized by ss.  
7 348.26 (8) and 348.27 (17). The department may impose such reasonable conditions  
8 prerequisite to the granting of any permit authorized by s. 348.26 or 348.27 and  
9 adopt such reasonable rules for the operation of a permittee thereunder as it deems  
10 necessary for the safety of travel and protection of the highways. The department  
11 may limit use of the highways under any permit issued to specified hours of the day  
12 or days of the week. Local officials granting permits may impose such additional  
13 reasonable conditions as they deem necessary in view of local conditions.

14           **SECTION 2.** 348.25 (8) (a) 3. of the statutes is amended to read:

15           348.25 (8) (a) 3. ~~For~~ Except as provided in subd. 4., for a vehicle or combination  
16 of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3), 10% of  
17 the fee specified in par. (b) 3. for an annual permit for the comparable gross weight,  
18 rounded to the nearest whole dollar.



1           **SECTION 3.** 348.25 (8) (a) 4. of the statutes is created to read:

2           348.25 (8) (a) 4. For a permit issued under s. 348.26 (8), \$30.

3           **SECTION 4.** 348.25 (8) (b) 3. (intro.) of the statutes is amended to read:

4           348.25 (8) (b) 3. (intro.) ~~For~~ Except as provided in subd. 4., for a vehicle or  
5 combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15  
6 (3):

7           **SECTION 5.** 348.25 (8) (b) 4. of the statutes is created to read:

8           348.25 (8) (b) 4. For a permit issued under s. 348.27 (17), \$300.

9           **SECTION 6.** 348.25 (8) (d) of the statutes is amended to read:

10          348.25 (8) (d) For the purpose of computing the fees under this subsection, if  
11 the vehicle or combination of vehicles exceeds weight limitations, no fee in addition  
12 to the fee under par. (a) 3. or 4., (b) 3. or 4., or (bm) shall be charged if the vehicle also  
13 exceeds length, width or height limitations or any combination thereof.

14          **SECTION 7.** 348.26 (1) of the statutes is amended to read:

15          348.26 (1) APPLICATIONS. All applications under subs. (2) to (7) for single trip  
16 permits for the movement of oversize or overweight vehicles or loads shall be made  
17 upon the form prescribed by the department and shall be made to the officer or  
18 agency designated by this section as having authority to issue the particular permit  
19 desired for use of the particular highway in question. All applications under sub. (8)  
20 shall be made to the department utilizing an electronic process prescribed by the  
21 department.

22          **SECTION 8.** 348.26 (2) of the statutes is amended to read:

23          348.26 (2) PERMITS FOR OVERSIZE OR OVERWEIGHT VEHICLES OR LOADS. Except as  
24 provided in ~~sub.~~ subs. (4) and (8), single trip permits for oversize or overweight  
25 vehicles or loads may be issued by the department for use of the state trunk highways

1 and by the officer in charge of maintenance of the highway to be used in the case of  
2 other highways. Such local officials also may issue such single trip permits for use  
3 of state trunk highways within the county or municipality which they represent.  
4 Every single trip permit shall designate the route to be used by the permittee.  
5 Whenever the officer or agency issuing such permit deems it necessary to have a  
6 traffic officer escort the vehicle through the municipality or county, a reasonable fee  
7 for such traffic officer's services shall be paid by the permittee. All moneys received  
8 from fees imposed by the department under this subsection shall be deposited in the  
9 general fund and credited to the appropriation account under s. 20.395 (5) (dg).

10 **SECTION 9.** 348.26 (8) of the statutes is created to read:

11 348.26 (8) PERMITS FOR THE TRANSPORTATION OF SEALED LOADS IN INTERNATIONAL  
12 TRADE. (a) The department may issue single trip permits for the transportation of  
13 a sealed load, as defined in s. 348.27 (17) (a), to applicants eligible for an annual or  
14 consecutive month permit under s. 348.27 (17), subject to the same requirements and  
15 limitations for annual and consecutive month permits described in s. 348.27 (17). A  
16 permit under this subsection may be issued only by the department, regardless of the  
17 highways to be used.

18 (b) A person issued a permit under this subsection shall use the automated  
19 routing system specified in s. 348.25 (11).

20 **SECTION 10.** 348.27 (1) of the statutes is amended to read:

21 348.27 (1) APPLICATIONS. All applications for annual, consecutive month or  
22 multiple trip permits for the movement of oversize or overweight vehicles or loads  
23 shall be made to the officer or agency designated by this section as having authority  
24 to issue the particular permit desired for use of the particular highway in question.  
25 All applications under subs. (2) and (4) to (15) shall be made upon forms prescribed

1 by the department. All applications under sub. (17) shall be made utilizing an  
2 electronic process prescribed by the department.

3 **SECTION 11.** 348.27 (17) of the statutes is created to read:

4 348.27 (17) PERMITS FOR THE TRANSPORTATION OF SEALED LOADS IN INTERNATIONAL  
5 TRADE. (a) In this subsection, "sealed load" means a load consisting of a container  
6 or vehicle, being transported in international trade, that has been sealed with a  
7 tamper-evident seal affixed at the time of initial loading.

8 (b) The department may issue annual or consecutive month permits for the  
9 transportation of a sealed load in a vehicle or vehicle combination that has 6 or more  
10 axles and that exceeds the maximum gross weight limitations under s. 348.15 (3) (c)  
11 if the vehicle or vehicle combination does not exceed the maximum gross weight  
12 limitations under s. 348.29. Notwithstanding s. 348.15 (8), any axle of a vehicle or  
13 vehicle combination that does not impose on the highway at least 8 percent of the  
14 gross weight of the vehicle or vehicle combination may not be counted as an axle for  
15 the purposes of this paragraph. A permit issued under this subsection does not  
16 authorize the operation of any vehicle or vehicle combination at a maximum gross  
17 weight in excess of 90,000 pounds.

18 (c) A permit under this subsection is not valid on any highway or bridge with  
19 a posted weight limitation that is less than the vehicle combination's gross weight.

20 **SECTION 12.** 348.28 (1) of the statutes is amended to read:

21 348.28 (1) Permits issued under ss. 348.25, 348.26 and 348.27 (1) to (10), (12)  
22 to (13), and (15) shall be carried on the vehicle during operations so permitted.

23 **SECTION 13.** 348.29 of the statutes is created to read:

24 **348.29 Weight limitations for certain permits.** Notwithstanding s. 348.15  
25 (3) (c), for any vehicle or vehicle combination operating under a permit issued under

s. 348.26 (8) or 348.27 (17), the gross weight imposed on the highway by any group of 6 or more consecutive axles of a vehicle or combination of vehicles may not exceed the maximum gross weights in the following table for each of the respective distances between axles and the respective numbers of axles of a group: [See Figure 348.29 following]

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**Figure 348.29:**

---

Maximum gross weight in pounds on a group of—

Distances in feet between foremost and rearmost axles of a group	6 consecutive axles of any combination of vehicles having a total of 6 or more axles	7 consecutive axles of a 7-axle vehicle or of any vehicle or combination of vehicles having a total of 7 or more axles	8 consecutive axles of a 8-axle vehicle or of any vehicle or combination of vehicles having a total of 8 or more axles
28			82,000
29			82,500
30			83,000
31			83,500
32			84,500
33			85,000
34			85,500
35		80,500	86,000
36		81,000	86,500
37		81,500	87,000
38		82,000	87,500
39		82,500	88,500
40		83,500	89,000
41		84,000	89,500
42		84,500	90,000
43		85,000	
44	80,500	85,500	
45	81,000	86,000	
46	81,500	87,000	
47	82,000	87,500	

48	83,000	88,000
49	83,500	88,500
50	84,000	89,000
51	84,500	89,500
52	85,000	90,000
53	86,000	
54	86,500	
55	87,000	
56	87,500	
57	88,000	
58	89,000	
59	89,500	
60	90,000	

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**SECTION 14. Nonstatutory provisions.**

(1) EXCEPTION TO REVIEW BY THE DEPARTMENT OF TRANSPORTATION. Notwithstanding section 13.096 (2) of the statutes, the department of transportation shall not prepare a report on this bill under section 13.096 (2) and (3) of the statutes because the department recently completed the Wisconsin Truck Size and Weight Study, with a final report dated June 15, 2009, that contained the same or similar information that would be contained in a report on this bill under section 13.096 (2) and (3) of the statutes.

**SECTION 15. Effective date.**

(1) This act takes effect on the first day of the 7th month beginning after publication.

(END)